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06 UNITED STATES DISTRICT COURT  
07 WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

08 LARRY SEIP, )  
09 Plaintiff, ) CASE NO. C12-0388-RSM  
10 v. )  
11 KING COUNTY, et al., ) ORDER DENYING IN FORMA  
12 Defendants. ) PAUPERIS APPLICATION  
\_\_\_\_\_ )

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14 Plaintiff Larry Siep, proceeding *pro se*, filed this action “to find out if [he is] the father  
15 of Alexander Wells.” See Dkt. No. 1, p. 1. Plaintiff initiated the action by filing a motion for  
16 leave to proceed *in forma pauperis*. The Honorable Mary Alice Theiler, United States  
17 Magistrate Judge, reviewed Plaintiff’s motion for *in forma pauperis* status and recommended  
18 that the motion be denied. Dkt. No. 3. Shortly after Judge Theiler filed her recommendation,  
19 Plaintiff paid the \$350 civil filing fee. Plaintiff also filed a “Motion of Response and  
20 Objection” to the recommendation. Dkt. No. 5. Finally, Plaintiff re-filed a document entitled  
21 “Motion of Kidnapping of Alexander Wells,” which had also been attached to his motion to  
22 proceed *in forma pauperis*. Dkt. No. 6 & Dkt. No. 1, Ex. 1.

01 The Court, having reviewed the Report and Recommendation of the Honorable Mary  
02 Alice Theiler, United States Magistrate Judge, Plaintiff's Response and Objection thereto,  
03 Plaintiff's Motion of Kidnapping and the balance of the record, does hereby find and ORDER:

04 (1) Although Plaintiff has paid the filing fee, he also objects to Judge Theiler's  
05 Report and Recommendation denying his motion to proceed *in forma pauperis*.  
06 Therefore, the Court does not construe Plaintiff's payment of the filing fee as a  
07 waiver of his right to object to the Report and Recommendation. Nonetheless,  
08 the Court hereby ADOPTS the Report and Recommendation directing Plaintiff  
09 to pay the filing fee within thirty days. Since Plaintiff has already paid the  
10 filing fee, no further action from Plaintiff with respect to the filing fee is  
11 required.

12 (2) Plaintiff's Motion for Kidnapping of Alexander Wells (Dkt. No. 6) does not  
13 appear to require any action from the Court. The Court construes this motion as  
14 Plaintiff's operative complaint pursuant to Federal Rule of Civil Procedure 3.  
15 If Plaintiff wishes to file a different complaint as the operative complaint in this  
16 lawsuit, he must do so in accordance with Fed. R. Civ. P. 15.

17 (3) The Clerk is directed to send copies of this Order to Plaintiff and to Judge  
18 Theiler.

19 DATED this 3 day of April 2012.

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21 RICARDO S. MARTINEZ  
22 UNITED STATES DISTRICT JUDGE